IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 364 of 2007(R)

PETITIONERS:

1. M. KUNHUMON, AGED 54 YEARS,
S/O. MOHAMMED, 21/74, RAFI MANZIL,
EAST VENNAKKARA
NOORANI P.O., PALAKKAD DISTRICT.

2. SAJILA, AGED 24 YEARS,
D/O. KUNHIMON, 21/74, SAFI MANZIL,
EAST VENNAKKARA
NOORANI P.O., PALAKKAD DISTRICT.

BY ADV. SRI.C.K.RAMAKRISHNAN

RESPONDENTS:

1. REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

2. N. ABDUL RASHEED,
CHIEF OFFICER OF KERALA STATE
CO-OPERATIVE BANK,
ERNAKULAM REGIONAL OFFICE,
DORAISWAMY IYYER ROAD,
ERNAKULAM.

3. MANAGER,
KERALA STATE CO-OPERATIVE BANK,
PALAKKAD BRANCH,
NOORANI P.O., PALAKKAD-678 004.

R1 BY GOVERNMENT PLEADER SRI.P.N.SANTHOSH
R2 BY ADVS. SRI.V.G.ARUN
& SRI.T.R.HARIKUMAR
R3 BY ADV.SRI.NAGARAJ NARAYANAN,
SC,K.S.CO-OP BANK

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C) No.364 of 2007 R

Dated this the 6th day of June, 2007.

JUDGMENT

The petitioners availed of a loan from the respondent/bank, but they did not repay the amount. Proceedings were initiated under the Securitisation Act against the petitioners by the bank.

2. The petitioners filed Ext.P6 objection. But, they submit that Ext.P6 was not submitted to the bank, but to the first respondent. Learned counsel for the bank submits that even though Ext.P6 was not submitted to the bank, the same will be treated as one submitted to the bank and the bank will take a decision thereon in accordance with law. Recording this submission, the writ petition is disposed of directing the 3rd respondent to take a decision on Ext.P6 at the earliest. It is submitted by the counsel for the bank that a decision will be taken within two weeks from the date of receipt of a copy of this judgment and the same will be communicated to the petitioners within another two weeks.

3. The petitioners are granted a period of two months from the date of receipt of communication for payment

of the entire amount. If there is any default on the part of the petitioners, it will be open to the bank to take appropriate action against the petitioners.

Writ petition is disposed of as above.

Sd/-
(K.M.JOSEPH)
JUDGE

sk/

//true copy//

P.S. To Judge